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October 16, 2024

BY ECF FILING AND EMAIL

Honorable Elizabeth S. Stong
United States Bankruptcy Court
Eastern District of New York
Conrad B. Duberstein Courthouse
271-C Cadman Plaza East - Suite 1595
Brooklyn, NY 11201-1800
ess_hearings@nyeb.uscourts.gov

Re: Food First Housing Development Fund Company, Inc. (“Debtor”), Case No. 24-42370-ess
EMERGENCY REQUEST FOR STATUS CONFERENCE

Dear Judge Stong:

Windels Marx is counsel to Fannie Mae in its capacity as limited partner in 165 Conover Street Associates, L.P (the “Partnership”) which owns the multi-housing property located at 165 Conover Street, Brooklyn, NY (the “Conover Property”). The Debtor is a general partner in the Partnership and is responsible for ensuring the proper management of the Conover Property.¹

We write to respectfully request an emergency status conference to address the imminent threat of loss of gas service to the Conover Property and its tenants. We learned that a representative of National Grid appeared at the Conover Property on Friday to shut-off the building’s gas meter due to unpaid bills, but was not successful because he could not gain access to the meter. Fannie Mae has been advised that National Grid will very soon re-attempt to shut off gas at the Conover Property.

Counsel for Fannie Mae has communicated with counsel for the chapter 7 trustee, counsel for the Debtor, and the property manager for the Conover Property, New Start Group (“NSG”) in an attempt to resolve the unpaid bills. NSG’s “principal” is Alfred Thompson² and he signed the Debtor’s chapter 7 petition as chairperson.³ While today Mr. Thompson, through

¹ See First Amended and Restated Agreement of Limited Partnership of 165 Conover Street Associates, L.P., Section 5.3(b). A copy of the partnership agreement was filed with Fannie Mae’s proof of claim on September 18, 2024 and designated as claim no. 5 on the claims register.

² See <https://newstartgroupinc.com/about-us/>

³ See ECF No. 1.
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Debtor's counsel, indicated that the gas bill has been or will soon be paid, neither Mr. Thompson nor NSG have provided any proof or other writing showing payment of the bill. Moreover, it is unclear whether other utilities and services are at risk of termination. The shut-off of gas coupled with the arrival of cold weather could pose a safety issue to the tenants who it appears have been paying rent. For these reasons, Fannie Mae respectfully requests that Your Honor schedule an emergency status conference and direct Mr. Thompson to appear. Fannie Mae further requests that Your Honor direct the relevant parties to take all action necessary to avoid the harm to the tenants of the Conover Property and to an asset of the bankruptcy estate that would be caused by the loss of gas service.

Respectfully submitted,

Windels Marx Lane & Mittendorf, LLP
Counsel for Fannie Mae

By: /s/ Eloy A. Peral
Eloy A. Peral

cc: All ECF Notice Parties

Via Overnight Mail and Email

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Via Overnight Mail

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